

In the United States District Court
For the Western District of Texas
San Antonio Division

Center for Biological Diversity,
Plaintiff,

v.

USDA APHIS Wildlife Services; Jessica
Fantinato, in her official capacity as Deputy
Administrator, USDA APHIS Wildlife
Services; Brooke L. Rollins, in her official
capacity as Secretary of Agriculture; and
Michael J. Bodenchuk, in his official capacity
as State Director of Texas Wildlife Services.

Defendants.

Case No. 5:25-cv-179-XR

Joint Motion to Stay the Case

Plaintiff Center for Biological Diversity and Defendants USDA APHIS Wildlife Services, Jessica Fantinato in her official capacity as Deputy Administrator of USDA APHIS Wildlife Services, and Brooke Rollins in her official capacity as Secretary of Agriculture (“Federal Defendants”) move to stay this case for sixty days until June 30, 2025.

“District courts possess an inherent power to manage their own docket, including the power to stay proceedings.” *Scramoge Tech. Ltd. v. Apple Inc.*, No. 6:21-CV-00620-ADA, 2022 WL 4595069, at *1 (W.D. Tex. Sept. 30, 2022). Here, the Court should exercise its inherent power and stay this case for sixty days because a stay will save judicial resources and significant litigation costs of the parties. The parties are negotiating settlement, which may result in amicable resolution of Plaintiff’s claims against Federal Defendants. A stay would allow Federal Defendants to not expend resources in responding to the Complaint by their answer deadline of May 2, 2025, and the parties additional time to discuss and finalize settlement. A stay would also save judicial resources by permitting the parties to amicably resolve this matter without the Court’s intervention.

As to the stay, the parties propose the following terms:

1. All proceedings in the above-captioned litigation are stayed until June 30, 2025.

2. On June 30, 2025, the parties will file a joint status report updating the Court on the status of the parties' discussions and advising the Court whether it is necessary to extend the stay or proposing next steps for proceedings in the case.

For the reasons state above, the parties respectfully request that the Court stay this case for sixty days through June 30, 2025, and ordering the parties to file a Joint Status Report on June 30, 2025.

Dated: May 1, 2025

Respectfully submitted,

Margaret F. Leachman
Acting United States Attorney

By: Huiju Jeon
Huiju Jeon
Assistant United States Attorney
New York State Bar No. 5447792
U.S. Attorney's Office
601 NW Loop 410, Ste 600
San Antonio, Texas 78216
(210) 384-7315 (phone)
(210) 384-7312 (fax)
Huiju.jeon@usdoj.gov

Attorneys for Federal Defendants

/s/ Tala DiBenedetto (with permission)
Tala DiBenedetto (NY Bar No. 5836994)
(admitted pro hac vice)
Center for Biological Diversity
P.O. Box 371
Oceanside, NY 11572-0371
Phone: (718) 874-6734, ext. 555
tdibenedetto@biologicaldiversity.org

Attorney for Plaintiff